IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 13TH MARCH 2007 / 22ND PHALGUNA 1928

Crl.Rev.Pet.No. 1096 of 2007()

CRMP.228/2006 of CHIEF JUDL.MAGISTRATE, ERNAKULAM

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REVN. PETITIONER: REVISION PETITIONER/COMPLAINANT

M/S.TENDRILS POLYTHREADS PVT.LTD.
VISHUDHA CHAMBER, MARKET ROAD,ERNAKULAM KOCHI-11,
A LIMITED COMPANY,REPRESENTED BY ITS DULY
MR.JAYA PRAKASH M.A,CHIEF ACCOUNTANT.

BY ADV. SRI.N.S.MOHAMMED USMAN

RESPONDENTS: RESPONDENTS/ACCUSED AND STATE

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1. MR.JOSE P, PUTHEN VEETIL HOUSE,
THATHAPILLY WARD,ALAPPUZHA.

2. STATE OF KERALA REPRESENTED BY LEARNED
PUBLIC PROSECUTOR ,HIGH COURT OF KERALA ERNAKULAM.

BY ADV. SRI. C.M. KAMMAPPU, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 13/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. R.P. NO. 1096 OF 2007

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Dated this the 13th day of March 2007

O R D E R

The revision petitioner is the complainant who had initiated proceedings under section 138 of the Negotiable Instruments Act. The same stands dismissed under section 204(4) Cr.P.C. It is submitted that the revision petitioner could not be present in the court on the posting date on account of the incorrect noting of the posting date. In the circumstances, the order of the court below is set aside. The court below is directed to permit the petitioner to further pursue the matter. The revision petitioner shall appear before Chief Judicial Magistrate, Ernakulam on **20.04.2007.**

The Crl. R.P is allowed accordingly.

K.R. UDAYABHANU, JUDGE.

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